

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18-cv-00667-FDW**

RAYMOND DAKIM HARRIS JOINER,)
)
Petitioner,)
)
vs.)
)
KATY POOLE,)
)
Respondent.)
)

ORDER

THIS MATTER is before the Court upon its own motion.

Petitioner Raymond Dakim Harris Joiner, also known as Sin York City, a prisoner of the State of North Carolina, has filed a pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) and Motion to Proceed In Forma Pauperis (Doc. No. 2) in this Court. According to the Petition and records of the North Carolina Department of Public Safety (“NCDPS”), on June 28, 2013, the Superior Court of Forsyth County entered judgment against Petitioner for two counts of malicious conduct by a prisoner and entered sentences in six counts of criminal contempt of court (non-judgment cases). (Pet. § 2, Doc. No. 1); NCDPS Offender Public Information website <http://webapps6.doc.state.nc.us/opi/offendersearch.do?method=view> (search for “Raymond D. Joiner” last completed Dec. 14, 2018). All of the sentences were run consecutively, and the last sentence expired on May 30, 2018. Petitioner is now serving a sentence imposed in a judgment entered on November 21, 2013 by the Guilford County Superior Court for breaking and entering and larceny and for having attained habitual felon status. Petitioner faces future consecutive sentences for: four counts of criminal contempt (non-judgment cases) imposed by the Guilford County Superior Court on January 12, 2014; 2 counts

of breaking and entering, 2 counts of larceny after breaking and entering, and 2 counts of attaining the status of habitual felon imposed by the Forsyth County Superior Court in a judgment entered on March 30, 2014; and two counts of malicious conduct by a prisoner and having attained the status of habitual felon imposed by the McDowell County Superior Court in a judgment entered on August 14, 2017. Petitioner's current projected release date is November 14, 2047. See NCDPS Offender Public Information website, id.

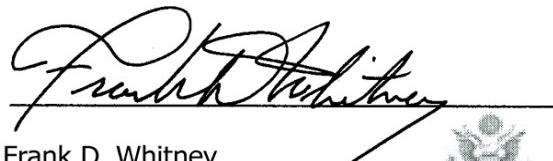
The § 2254 Petition alleges Petitioner was involuntarily placed in the Piedmont Correctional Institution on July 2, 2013 by order of the Forsyth County Superior Court. (Pet. § 2.) The only judgment corresponding to that date was imposed in Forsyth County on June 28, 2013. See NCDPS Offender Public Information website, id. Petitioner cites no other judgment anywhere in his filing. Accordingly, the Court finds Petitioner is challenging the legality of his June 28, 2013 judgment entered by the Forsyth County Superior Court.

Forsyth County is within the territorial jurisdiction of the United States District Court for the Middle District of North Carolina. See 28 U.S.C. § 113(b). Thus, pursuant to the provisions of 28 U.S.C. § 2241(d), and in accordance with a joint order of the United States District Courts for the Eastern, Middle and Western Districts of North Carolina (Joint Order, In re: Applications for Writs of Habeas Corpus (Oct. 26, 1966)), the Court shall transfer the habeas petition to the United States District Court for the Middle District of North Carolina, where venue is proper.

IT IS, THEREFORE, ORDERED that the Clerk of Court shall transfer this civil action to the United States District Court for the Middle District of North Carolina for all further proceedings. The Clerk is further directed to mail a copy of this Order to Petitioner and, thereafter, to close this case.

SO ORDERED.

Signed: December 17, 2018



Frank D. Whitney
Chief United States District Judge

